

## SUBCHAPTER A—GENERAL AND ADMINISTRATIVE PROVISIONS

### PART 500—EMPLOYEE ETHICAL CONDUCT STANDARDS AND FINANCIAL DISCLOSURE REGULATIONS

AUTHORITY: 5 U.S.C. 553; 5 U.S.C. 7301; 46 U.S.C. app. 1716.

#### **§ 500.101 Cross-reference to employee ethical conduct standards and financial disclosure regulations.**

Employees of the Federal Maritime Commission (“FMC”) should refer to the executive branch-wide Standards of Ethical Conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulation at 5 CFR part 2634.

[60 FR 9787, Feb. 22, 1995]

### PART 501—THE FEDERAL MARITIME COMMISSION—GENERAL

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AUTHORITY: 5 U.S.C. 551-557, 701-706, 2903 and 6304; 31 U.S.C. 3721; 41 U.S.C. 414 and 418; 44 U.S.C. 501-520 and 3501-3520; 46 U.S.C. app. 801-848, 876, 1111, and 1701-1720; Reorganization Plan No. 7 of 1961, 26 FR 7315, August 12, 1961; Pub. L. 89-56, 79 Stat. 195; 5 CFR Part 2638.

SOURCE: 59 FR 954, Jan. 7, 1994, unless otherwise noted.

#### Subpart A—Organization and Functions

##### **§ 501.1 Purpose.**

This part describes the organization, functions and Official Seal of, and the delegation of authority within, the Federal Maritime Commission (“Commission”).

##### **§ 501.2 General.**

(a) *Statutory functions.* The Commission regulates common carriers by water and other persons involved in the foreign and domestic offshore commerce of the U.S. under provisions of the Shipping Act, 1916, (46 U.S.C. app. 801-842); the Intercoastal Shipping Act, 1933 (46 U.S.C. app. 843-848); the Shipping Act of 1984 (46 U.S.C. app. 1701-1720); section 19 of the Merchant Marine Act, 1920 (46 U.S.C. app. 876); the Foreign Shipping Practices Act of 1988 (46 U.S.C. app. 1710a); sections 2 and 3, Public Law 89-777, Financial Responsibility for Death or Injury to Passengers and for Non-Performance of Voyages (46 U.S.C. app. 817d and 817e); and other applicable statutes.

(b) *Establishment and composition of the Commission.* The Commission was established as an independent agency by Reorganization Plan No. 7 of 1961, effective August 12, 1961, and is composed of five Commissioners (“Commissioners” or “members”), appointed by the President, by and with the advice and consent of the Senate. Not more

than three Commissioners may be appointed from the same political party. The President designates one of the Commissioners to be the Chairman of the Commission ("Chairman").

(c) *Terms and vacancies.* The term of each member of the Commission is 5 years and begins when the term of the predecessor of that member ends (i.e., on June 30 of each successive year), except that, when the term of office of a member ends, the member may continue to serve until a successor is appointed and qualified. A vacancy in the office of any Commissioner shall be filled in the same manner as the original appointment, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he or she succeeds. Each Commissioner shall be removable by the President for inefficiency, neglect of duty, or malfeasance in office.

(d) *Quorum.* A vacancy in the Commission, so long as there shall be three Commissioners in office, shall not impair the power of the Commission to execute its functions. Any three Commissioners in office constitute a quorum for the transaction of the business of the Commission, and the affirmative votes of any three Commissioners shall be sufficient for the disposition of any matter which may come before the Commission. For purposes of holding a formal meeting for the transaction of the business of the Commission, the actual presence of two Commissioners shall be sufficient, with proxy votes of absent members permitted in order to obtain the required three affirmative votes. See Commission Order No. 84.

(e) *Meetings; records; rules and regulations.* The Commission shall, through its Secretary, keep a true record of all its meetings and the yea-and-nay votes taken therein on every action and order approved or disapproved by the Commission. In addition to or in aid of its functions, the Commission adopts rules and regulations in regard to its powers, duties and functions under the shipping statutes it administers.

### § 501.3 Organizational components of the Federal Maritime Commission.

The major organizational components of the Commission are set forth in the Organization Chart attached as Appendix A to this part. An outline table of the components/functions follows:

- (a) Office of the Chairman of the Federal Maritime Commission.  
(*Chief Executive and Administrative Officer, and FOIA and Privacy Act Appeals Officer.*)
  - (1) Information Security Officer.
  - (2) Designated Agency Ethics Official.
- (b) Offices of the Members of the Federal Maritime Commission. (*Include the Chairman, ADP Committee.*)
- (c) Office of the Secretary. (*FOIA and Privacy Act Officer; Federal Register Liaison; Alternative Disputes Resolution Coordinator.*)
  - (1) Office of Informal Inquiries, Complaints and Informal Dockets.
  - (2) [Reserved]
- (d) Office of the General Counsel. (*Ethics Official.*)
- (e) Office of Administrative Law Judges.
- (f) Office of Equal Employment Opportunity.
- (g) Office of the Inspector General.
- (h) Office of the Managing Director. (*Chief Operating Officer; Designated Senior IRM Official; Senior Procurement Executive and ATFI Contracting Officer; Audit Followup and Management Controls.*)
  - (1) Office of Information Resources Management. (*Senior IRM Manager; Computer Security; Forms Control; Records Management.*)
  - (2) [Reserved]
- (i) Bureau of Economics and Agreement Analysis.
  - (1) Office of Agreements and Information Management.
  - (2) Office of Monitoring I.
  - (3) Office of Monitoring II.
- (j) Bureau of Tariffs, Certification and Licensing.
  - (1) Office of Tariffs.
  - (2) Tariff Control Center.
  - (3) Office of Service Contracts and Passenger Vessel Operations.
  - (4) Office of Freight Forwarders.
- (k) [Reserved]